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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,686	10/27/2003	Yoshiaki Kato	2611-0198P	2067

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

MATTIS, JASON E

ART UNIT	PAPER NUMBER
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2616

NOTIFICATION DATE	DELIVERY MODE
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02/14/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/692,686

Applicant(s)

KATO ET AL.

Examiner

Jason E. Mattis

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the Amendment filed 11/30/07. Claims 17-20 are currently pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Magee et al. (U.S. Pat. 5835493).

With respect to claim 17, Magee et al. discloses a multiplexing apparatus (See column 8 lines 39-43 and Figure 2 of Magee et al. for reference to remultiplexer 100, which is a multiplexing apparatus). Magee et al. also discloses a control information selecting section for selecting media streams of different types having media information (See column 9 line 10 to column 10 line 5 of Magee et al. for reference to selectively multiplexing multiple transport streams, which are media streams, of different types having media data). Magee et al. further discloses each

selected media stream having clock information generated by appending a media time base indicating a time at which encoding of the media information is to be started and a decoding time that indicates a time at which decoding of the media information is to be started based on the media time base (**See column 2 lines 5-48 of Magee et al. for reference to each of the multiple MEG-2 transport streams containing a PCR, which is a media time base, a PTS, which indicates an encoding time, and a DTS, which indicates a decoding time relative to the encoding time clock**). Magee et al. also discloses a program control information editing section receiving a number of the selected media streams of different types to be multiplexed to obtain one program (**See column 10 lines 6-57 of Magee et al. for reference to receiving the selected transport streams and editing the data of the transport streams such that they are multiplexed to obtain a single output program**). Magee et al. further discloses a clock information reallocating section reallocating the decoding time of the one program, wherein when multiplexing a number of selected media streams to obtain one program the media time bases of all the media information are set equal to a media time base of a desired media information and the time difference between media time bases before and after this setting is added to the decoding time to be reallocated (**See column 12 lines 25-61 of Magee et al. for reference to reallocating the PCR data of each transport stream to set them equal to a common time base of the output program by adding a dwell time, which is a difference between media time bases before and after the setting, to the PCR time such that the decoding is delayed accordingly**).

With respect to claim 18, Magee et al. discloses that media time bases of a number of media information are set to the same value to be reallocated (**See column 18 lines 10-53 of Magee et al. for reference to setting the media time of a number of the input transport streams to a common master time base**).

With respect to claim 19, Magee et al. discloses a remultiplexing apparatus (**See column 8 lines 39-43 and Figure 2 of Magee et al. for reference to remultiplexer 100**). Magee et al. also discloses a control information selecting section for selecting media streams of different types having media information (**See column 9 line 10 to column 10 line 5 of Magee et al. for reference to selectively multiplexing multiple transport streams, which are media streams, of different types having media data**). Magee et al. further discloses each selected media stream having clock information generated by appending a media time base indicating a time at which encoding of the media information is to be started and a decoding time that indicates a time at which decoding of the media information is to be started based on the media time base (**See column 2 lines 5-48 of Magee et al. for reference to each of the multiple MPEG-2 transport streams containing a PCR, which is a media time base, a PTS, which indicates an encoding time, and a DTS, which indicates a decoding time relative to the encoding time clock**). Magee et al. also discloses a program control information editing section receiving a number of the selected media streams of different types to be multiplexed to obtain one program (**See column 10 lines 6-57 of Magee et al. for reference to receiving the selected transport streams and editing the data of the transport streams such that they are multiplexed to**

obtain a single output program). Magee et al. further discloses a clock information reallocating section reallocating the decoding time of the one program and a remultiplexing section obtaining a number of required media information from a number of programs and remultiplexing them as a new program, wherein when multiplexing a number of selected media streams to obtain one program the media time bases of all the media information are set equal to a media time base of a desired media information and the time difference between media time bases before and after this setting is added to the decoding time to be reallocated (**See column 10 line 6 to column 12 line 61 of Magee et al. for reference to remultiplexing media data from a number of programs into a new program including reallocating the PCR data of each transport stream to set them equal to a common time base of the output program by adding a dwell time, which is a difference between media time bases before and after the setting, to the PCR time such that the decoding is delayed accordingly).**

With respect to claim 20, Magee et al. discloses restructuring a program with media streams of a number of desired programs including setting media time bases of all the media streams included in the one program to the same value to be reallocated (**See column 18 lines 10-53 of Magee et al. for reference to setting the media time of a number of the input transport streams to a common master time base).**

Response to Arguments

4. Applicant's arguments with respect to claims 17-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

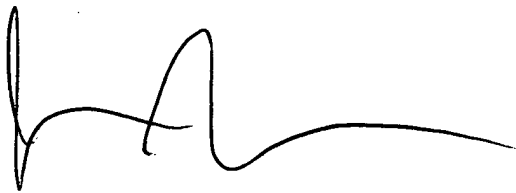
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason E. Mattis whose telephone number is (571) 272-3154. The examiner can normally be reached on M-F 8AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number:
10/692,686
Art Unit: 2616

Page 7

A handwritten signature in black ink, appearing to read 'JEM', with a long horizontal flourish extending to the right.

Jason E Mattis
Examiner
Art Unit 2616

jem